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ATTORNEY GENERAL  
NATURAL RESOURCE AGENCIES

March 3, 1995

Mr. Michael M. Quealy, Esq, Assistant Attorney General  
State Of Utah  
Office Of Attorney General  
1635 West North Temple  
Salt Lake City, Utah 84116

Re: 1995 Duchesne/Strawbery Distribution Scheldue

Dear Mr. Quealy:

May I outline my specific concerns with your/states, 1995 Distribution order. First you will recall that the court [did] make all parties aware that the court would not intertain Distrubition orders for years when distribution orders are [not] necessary due to normal, or above normal snowpack. The court [did] consider my protest as being reasonable, and as you will recall the court was concerned that all the parties claims are addressed without prejudice.

The snow pack data this year indicates there is no need for a distribution order this year, and you are again simply putting the cart before the horse. Already the Duchesne/ Strawberry drainages are above normal, and our greatest snow pack has not [yet] been received since the month of March, is when we receive our greatest snow fall. Again, I object to the state engineer's motion for a distribution order at this time, when it clearly is [unnecessary] this year due to adequate water. I feel uneasy when I do not see the [official] snowpack data supplied to the court along with the purposed distribution order. Would you please supply this information to the court, so that the court can review it, and make this information a part of the court record, prior to the courts execution of this years, distribution order. This is only reasonable, that the court have evidense that this year is going to be short on water, as you have indicated.

As long as my concerns , remain of record, and as long as my rights to the use of water, outlined in certificate 812, are unaffected, I shall not raise any request for oral argument this year, however my objections remain the same. The distribution order appears to be a facade, to allow the CUP water, when normally the CUP would be cut of by priority number durning dry years. Its my opinion, that the main reason for a distribution order is a form of insurance that will allow water to continue to flow out of the basin on to the wasatch front, durning dry years, and render priority numbers useless, by order of the court.

Sincerely,

My Taylor

(Copy filed with Clerk)